

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
CONOR FLYNN,	:	
	:	S2 20 Cr. 163 (PKC)
Defendant.	:	
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WHEREAS, on or about April 16, 2023, CONOR FLYNN (the “Defendant”), was charged in a one-count Information, S2 20 Cr. 163 (PKC) (the “Information”), with drug adulteration and misbranding conspiracy, in violation of Title 18, United States Code, Section 371 (Count One);

WHEREAS, the Information included a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 334 and Title 28, United States Code, Section 2461, of any and all drugs that were adulterated or misbranded when introduced into or while in interstate commerce or while held for sale (whether or not the first sale) after shipment in interstate commerce, or which may not, under the provisions of section 331(1), 344, or 355 of this title, have been introduced into interstate commerce, including but not limited to a sum of money in United States currency representing the value of such property (the “Forfeitable Property”);

WHEREAS, on or about April 16, 2023, the Defendant pled guilty to Count One of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Information and agreed to forfeit, pursuant to Title 21, United States Code, Sections 334 and 853, and Title 28, United States Code, Section 2461(c), a sum of money equal to \$129,975.40 in United States currency

representing the value of the Forfeitable Property of the offense charged in Count One of the Information;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$129,975.40 in United States currency representing the value of the Forfeitable Property of the offense charged in Count One of the Information, for which the Defendant is jointly and severally liable with his co-defendant, Richard Banca (the “Co-Defendant”), and the forfeiture money judgment entered against him in this case on or about April 19, 2022; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the Forfeitable Property of the offense charged in Count One of the Information cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney, Sarah Mortazavi of counsel, and the Defendant, and his counsel, Andrew Joseph Mollica, Esq., that:

1. As a result of the offense charged in Count One of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$129,975.40 in United States currency (the “Money Judgment”), representing the value of the Forfeitable Property of the offense charged in Count One of the Information, for which the Defendant is jointly and severally liable with the Co-Defendant and the forfeiture money judgment entered against him in this case on or about April 19, 2022, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, CONOR

FLYNN, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

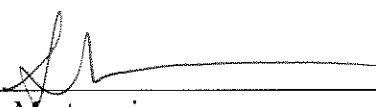
7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By:

  
\_\_\_\_\_  
Sarah Mortazavi  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2520

10/4/23  
DATE

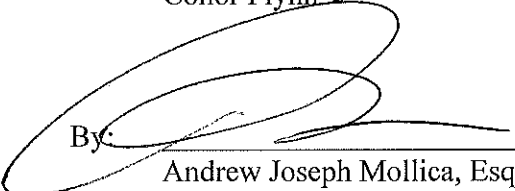
DEFENDANT

By:

  
\_\_\_\_\_  
Conor Flynn

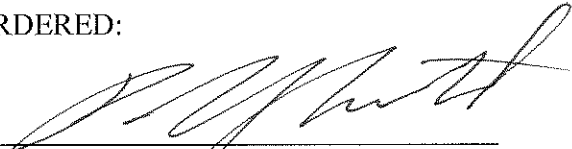
10/4/23  
DATE

By:

  
\_\_\_\_\_  
Andrew Joseph Mollica, Esq.  
Attorney for Defendant  
1205 Franklin Avenue  
Garden City, NY 11530

10/4/23  
DATE

SO ORDERED:

  
\_\_\_\_\_  
HONORABLE P. KEVIN CASTEL  
UNITED STATES DISTRICT JUDGE

10-4-23  
DATE